

REMARKS

The Examiner required that the present application be restricted, under 35 U.S.C. §§ 121 and 372, to one of the following seven groups of claims:

Group I: Claims 1-12 and 21, drawn to a compound that comprises the following formula:

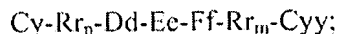


Group II: Claim 13, drawn to a compound that is obtained by derivatizing or activating or protecting a compound of the following formula:



or the compound of the indicated formula which is bonded to a solid support;

Group III: Claims 14-20 and 28, drawn to a conjugate of an "effector unit" and a compound of the following formula



Group IV: Claims 22-24, drawn to a method of preparing a medicament;

Group V: Claims 25-27, drawn to a method of treating cancer by administering one of the Group I compounds/compositions;

Group VI: Claim 29, drawn to a method of preparing a medicament; and

Group VII: Claim 30, drawn to a method for treating cancer.

Applicant hereby elects, without traverse, the invention defined by the Examiner as Group I: Claims 1-12 and 21, drawn to a compound that comprises the following formula:

$$\text{Cy-Rr}_n\text{-Dd-Ec-Ff-Rr}_m\text{-Cyy}.$$

The Examiner also required the following election of species for initial examination, in the event that Group I was chosen in response to the Restriction Requirement:

- a) one of the following: (i) a compound *per se* (in accordance with claim 1) or (ii) a composition (in accordance with claim 21);
- b) in the event that a compound is elected, election is required of a specific and fully defined compound (which can be described without the use of the term "comprising" or "consisting essentially of");

- c) in the event that a composition is elected (in accordance with claim 19), election is required of a specific and fully defined composition in which all ingredients are fully accounted for.

Applicant hereby elects the compound (polypeptide) having the amino acid sequence DIREK (SEQ ID NO: 3; *see* claim 11).

CONCLUSION

This response is made without prejudice or disclaimer to any non-elected subject matter, and Applicant reserves the right to file one or more continuation and/or divisional applications directed to any non-elected subject matter.

In view of the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order. Such action is earnestly solicited.

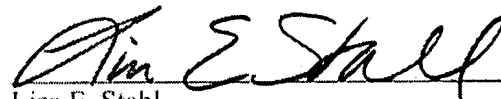
In the event that there are any questions related to this response, or the application in general, it would be appreciated if the Examiner would telephone the undersigned attorney at the below-listed telephone number concerning such questions so that prosecution of this application may be expedited.

Respectfully submitted,

BUCHANAN INGERSOLL PC

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By:



Lisa E. Stahl

Registration No. 56,704

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620